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12 February 2020

Iain Little
Director of Equivalence, Regulatory Affairs
Corporate Affairs
Telstra Corporation Limited

Email: Iain.Little@team.telstra.com
CC: Peter.Walsh.2@team.telstra.com

Dear Mr Little

Update on Force Majeure Event in relation to the 2019-20 bushfires

I refer to your letter dated 6 February 2020 advising that recent bushfires in Victoria and South Australia constitute a Force Majeure Event under the Migration Plan and Telstra will as a consequence defer certain managed disconnection activities, as set out in your letter.

Telstra has met its requirement under clause 4.5(c)(i) of the Migration Plan to advise the ACCC that a Force Majeure Event will affect Telstra's performance under the Plan. Telstra will not contravene the Migration Plan to the extent that the Force Majeure Event causes delays or failure to perform Telstra's obligations under the Migration Plan.

The ACCC notes the requirement for Telstra to notify the ACCC as soon as reasonably practicable after the force Majeure Event has ceased to affect its Migration Plan obligations.

Deferral of CustomNet service disconnections

Your letter also advised of deferred disconnection arrangement for CustomNet services for six customers, for whom availability of these services is of critical safety importance. The ACCC accepts that in these circumstances deferred disconnection is in accordance with clause 11.1(c) of Required Measure 5B in Schedule 7 of the Migration Plan and will promote service continuity.

Ifa Rushdi can be contacted on 03 9658 6401 if you would like to discuss this matter.

Yours sincerely

Robert Wright
General Manager
Insurance and Wireline Markets Branch